

# EXHIBIT 1

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**SCOTT D. DALESANDRO, et al.,  
On behalf of themselves and  
all others similarly situated,**

**Plaintiffs,**

**v.**

**THE INTERNATIONAL PAPER  
COMPANY,**

**Defendant.**

**Case No.: C-1-01-109**

**Judge Sandra S. Beckwith**

**DECLARATION OF THERESA L. GROH**

I, Theresa L. Groh, under penalty of perjury pursuant to 28 U.S.C. 1746, declare as follows:

1. Since August 1, 2003, I spent 266.3 hours working on this case at an hourly rate of \$325 which is the rate I ordinarily charge for non-contingent hourly legal work. Attached at Tab A to this Declaration is an itemization of the legal work performed on this case. I exercised billing judgment when entering the hours and work contained therein and included only that legal work which was essential to the case. I omitted all time which is duplicative of other attorney time and reflects less than 10 minutes of work, including many short phone conferences and other meetings with clients, co-counsel, opposing counsel and staff.

2. I have reviewed the entries and time records and verify that the information set forth therein, subject to the foregoing, is a true and accurate statement of my time and work performed in this case from August 1, 2003 through August 18, 2004.

3. One associate attorney, Todd B. Naylor, and my paralegal, Stephanie A. Vaaler, worked under my supervision on this case as members of Murdock Goldenberg Schneider & Groh, LPA during the time period covered by Plaintiffs' Supplemental Motion for Attorney Fees and Expenses, which is August 1, 2003 through August 18, 2004.

4. Attached at Tab B to this Declaration is a true and accurate copy of the expenses incurred by Murdock, Goldenberg, Schneider & Groh, L.P.A. in this case up through August 18, 2004. All expenses were related to and necessarily incurred in connection with this litigation.

So declared this 18<sup>th</sup> day of August 2004, Cincinnati, Ohio.

  
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Theresa L. Groh

## EXHIBIT 1-A

**Updated Through August 18, 2004**  
**Summary of Billable Hours and Costs**

*Dalesandro, et al. v. International Paper Company*  
 (Supporting Statements Attached to Groh Declaration)

<u><b>Attorneys</b></u>	<b>Total # of Hours</b>	<b>Hourly Rate</b>	<b>Total</b>	<b>Total with 1.5 Multiplier</b>
Theresa L. Groh	1260.05	\$325	\$409,516.25	\$614,274.37
John C. Murdock	451.55	\$300	\$135,465.00	\$203,197.50
Myron A. Wolf	75.25	\$275	\$ 20,693.75	\$ 31,040.63
Jeffrey S. Goldenberg	17.7	\$275	\$ 4,867.50	\$ 7,301.25
Todd B. Naylor	21.3	\$200	\$ 4,260.00	\$ 6,390.00
V. Brandon McGrath	32.5	\$150	\$ 4,875.00	\$ 7,312.50
<u><b>Paralegal</b></u>				
Stephanie Vaaler	258.55	\$ 85	\$ 21,976.75	\$ 32,965.13
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Total Hours & Fees	2116.90		\$601,654.25	\$902,481.38
Total Costs				
Murdock Goldenberg Schneider & Groh			\$12,860.56	
Myron A. Wolf			<u>\$ 14.23</u>	
			\$12,874.79	<u>\$ 12,874.79</u>
<b>Total fees with multiplier and costs through August 18, 2004</b>				<b>\$915,356.17</b>

TIME RECORDS OF MURDOCK GOLDENBERG SCHNEIDER & GROH, LPA (August 1, 2003 through August 18, 2004)  
*Dalesandro v. International Paper Company*, Case No. C-1-01-109

DATE	ATTY/PARA	TIME	DESCRIPTION
08/01/03	TLG	2.30	Draft Declarations for attorneys verifying hours for motion for fees and expenses; draft affidavits for clients; phone conferences with clients re: same; draft and revise motion for fees and expenses
08/02/03	TLG	1.80	Revise attorney Declarations; revise clients' affidavits; revise motion for fees and expenses
08/03/03	TLG	2.50	Research and revise motion for fees and expenses
08/04/03	TLG	3.80	Phone conferences with expert witnesses (Wayne and Stich) re: their Declarations in support of the motion for fees and expenses; conference with J.C. Murdock re: expert Declarations; draft expert Declarations and revise motion for fees and expenses; phone conferences with clients re: Reply and affidavits
08/04/03	JCM	.30	Conference with T.L. Groh re: expert Declarations
08/05/03	TLG	1.50	Phone conferences with Wayne and Stich re: their Declarations; revise Wayne and Stich Declarations; conference with JCM re: same; phone conference with M. Wolf re: his Declaration and application for fees; phone conferences with clients re: status, strategy and Declarations
08/06/03	TLG	2.50	Finalize Declarations and exhibits to motion for fees and expenses; revise motion for fees and expenses
08/07/03	TLG	3.30	Conference with JCM re: motion for incentive awards, re: notice, re: final judgment entry, re: class certification issues; phone conference with Stich re: his Declaration; revise Stich Declaration and finalize; finalize motion for fees and expenses; review letter from defense counsel Miraglia and enclosed Exhibit A's and Defendant's calculations of benefits for class members who were inadvertently omitted from Defendant's original submission

DATE	ATTY/PARA	TIME	DESCRIPTION
08/07/03	JCM	.80	Conference with TLG re: incentive awards, notice, final judgment entry and class certification issues
08/08/03	TLG	5.20	Conference with J.S. Goldenberg re: research on pre- and post-judgment issues; finalize and file motion for fees and expenses
08/08/03	JSG	.20	Conference with TLG re: pre- and post-judgment research
08/11/03	TLG	.80	Finalize Notice of Filing Declarations in Support of Plaintiffs' Motion for Fees and Expenses; conference with S.A. Vaaler re: same
08/11/03	SAV	1.50	Conference with TLG re: filing Declarations in support of Plaintiffs' Motion for Fees; assemble, finalize and file same
08/25/03	TLG	1.20	Review Court Order approving distribution of Notice to the class; conferences with JCM and SAV re: the procedure of drafting and sending notice to the class
08/25/03	JCM	.80	Conference with TLG and SAV re: drafting and sending notice to the class
08/25/03	SAV	.80	Conference with TLG and JCM re: sending notice to the class
08/26/03	SAV	2.00	Review Flex Six Exhibit A's for changes: cross-check Flex Six forms against Potential Severance Benefits chart; email to JCM and TLG re: same; cross-check figures in Flex Six Exhibit A's against Potential Severance Benefits chart
08/28/03	JCM	.50	Review final Notice and draft recommended changes; conference with TLG re: same; conference with SAV re: issuance of Notice
08/28/03	TLG	.20	Conference with JCM re: final notice language
08/28/03	SAV	.30	Conference with JCM re: sending notice to the class

DATE	ATTY/PARA	TIME	DESCRIPTION
08/29/03	JCM	.80	Draft correspondence to opposing counsel regarding notice and clarification for calculation of benefits for class members; conference with SAV re: notice to the class and Exhibit A's and attachments thereto
08/29/03	SAV	1.90	Meeting with JCM re: Exhibit A's and Notice; email to JCM re: Beecher Exhibit A; review Potential Severance Benefit chart for additional errors; discussion with C. Pence (secretary) re: Exhibit A project
09/02/03	SAV	.20	Draft email to CP and JCM re: status of Notice; email to CP re: requests for Flex Six
09/04/03	TLG	.20	Review letter from defense counsel Miraglia re: explanation of hire dates for J. Beecher
09/04/03	JCM	.30	Draft correspondence to opposing counsel regarding inclusion of Maheau as a member of the class
09/05/03	JCM	.50	Follow up from conference call with opposing counsel re: class notice issues
09/08/03	TLG	.80	Conference with JCM and review of class notice and Exhibit A drafts; review Stipulated Entry Approving the Amended Class Action Notice; conference with JCM re: same
09/08/03	JCM	3.20	Draft entry and forward to opposing counsel approving Rule 23 class action notice; final review of draft of class notice with Exhibit A and forwarded to opposing counsel; conference with TLG re: class notice, attachments thereto and Entry opposing the same
09/17/03	TLG	3.50	Review Defendant's Response in Opposition to Plaintiffs' Motion for Fees; conference with JCM re: same; notes to file for the Reply
09/17/03	JCM	.80	Conference with TLG re: Defendant's Opposition to Plaintiffs' Motion for Fees
09/18/03	TLG	6.20	Review and research Defendant's Response in Opposition to Plaintiffs' Motion for Fees
09/19/03	TLG	.30	Conference with JCM re: modification of the Notice to the class



DATE	ATTY/PARA	TIME	DESCRIPTION
09/19/03	JCM	.30	Conference with TLG re: notice to the class
09/22/03	TLG	5.80	Review and research Defendant's Response in Opposition to Plaintiffs' Motion for Fees; review the modification to the class Notice; conference with JCM re: same
09/22/03	JCM	3.25	Conference with TLG re: class notice and Defendant's Opposition to Plaintiffs' Motion for Fees; detailed review of Opposition to Motion for Fees
09/22/03	SAV	.50	Conferences with CP re: notice project
09/23/03	TLG	.80	Coordinate and finalize class action notice; conferences with JCM and SAV re: same
09/23/03	JCM	.30	Conference with TLG and SAV re: class action notice
09/23/03	SAV	2.70	Meeting with CP re: giving instructions on format of Flex Six document to be typed; obtain envelopes for mailing; prepare notice of mailing; conferences with JCM and TLG re: class notice
09/24/03	SAV	2.50	Prepare Notice: review Order and materials re: manner of mailing notice, prepare envelopes, update notice chart
09/25/03	SAV	.80	Update status of notice chart; phone conference with Fast Data re: database training
09/26/03	JCM	.20	Review correspondence received from opposing counsel re: Maheau
09/29/03	SAV	.20	Phone call from client re: current address; update status of notice chart
10/01/03	SAV	1.70	Resent returned mailings to researched addresses; research: current addresses of class members; update status of notice chart
10/03/03	SAV	.50	Update status of notice chart

DATE	ATTY/PARA	TIME	DESCRIPTION
10/07/03	SAV	.50	Research current address of class member; update status chart
10/08/03	TLG	1.30	Phone conferences with clients re: class action notice and Defendant's calculations of benefits and explanations to other employees; review letters sent by class members to Barger
10/09/03	TLG	1.00	Conference with JCM re: Defendant's Opposition to Attorney Fees and strategy re: the Plaintiffs' Reply
10/09/03	JCM	1.00	Conference with TLG re: Defendant's Opposition to Motion for Fees and re: Plaintiffs' Reply
10/10/03	TLG	3.70	Phone conferences with clients re: class action notice and Defendant's calculations of benefits and explanations to other employees; review letters sent by class members to Barger; review and research Defendants' Opposition to Attorney Fees Motion; outline and draft Reply
10/13/03	TLG	9.80	Review letters from class members objecting to Defendant's calculations of benefits; conference with SAV re: same; review and research Defendants' Opposition to Attorney Fees Motion; outline and draft Reply; phone conference with defense counsel McElligott re: employees' objections to Defendant's calculations of benefits; phone conference with James Hillmann re: customary copy charges; draft Hillmann Affidavit
10/13/03	SAV	.20	Conference with TLG re: class members' objections to benefits calculations
10/14/03	TLG	.70	Phone conferences with clients re: class action notice and Defendant's calculations of benefits and explanations to other employees; draft and research for Reply in Support of Attorney Fee motion; review and revise Hillmann Affidavit; phone conference with Hillmann re: same
10/14/03	SAV	3.30	Review Defendant's Response in Opposition; pull cases and prepare binder of same

DATE	ATTY/PARA	TIME	DESCRIPTION
10/15/03	SAV	3.80	Review and copy class member dispute correspondence; update status of notice chart re: same; organize files re: notice; updated notice chart; updated mailing list
10/16/03	TLG	6.20	Draft and research for Reply in Support of Attorney Fee motion; review transcript of telephone conference with the Court held on June 20, 2003 to use as an exhibit in the Reply; Conference with T.B. Naylor re: research of Defendant's arguments on insufficiency of time records
10/16/03	TBN	5.30	Conference with TLG on results re: research on "block billing" and specificity of timekeeping; research on sufficiency of billing records based on quarter-hour time keeping; draft memo on recoverable fees; obtain and review Southern District's Guidelines on Attorney Fee Applications; research on 28 U.S.C. 1920 and permissible recovery of expenses; conference with TLG on defense motion in opposition to fee application
10/16/03	SAV	2.70	Telephone conference with class members re: status; review time entries re: duplicity
10/17/03	TLG	5.50	Draft and research for Reply in Support of Attorney Fee motion; phone conference with expert (Wayne) re: rebuttal Declaration; draft Wayne Declaration; finalize Hillmann Affidavit and phone conference with Hillmann re: execution of same
10/17/03	SAV	.20	Update status of Notice chart
10/18/03	TLG	.50	Review and revise Wayne Declaration; phone conference with Wayne re: same
10/20/03	TLG	11.50	Draft and research for Reply in Support of Attorney Fee motion; phone conference with Wayne re: Declaration and finalize for execution; conference with JCM re incentive awards and draft of Reply
10/20/03	SAV	3.00	Prepare Reply brief: pull cases and exhibits, review Reply for reference to exhibits; update status of notice chart; copy dispute letters; phone conference with class member re: current address

DATE	ATTY/PARA	TIME	DESCRIPTION
10/20/03	JCM	9.50	Draft/edit/revise of incentive award argument in reply brief; revise reply brief; conference with TLG re: same; follow up research regarding class representative incentive awards; conference with TLG re: issues for draft of reply memo in support of fee application; dictate first draft of reply memo portion concerning reply to incentive award arguments; detailed edit of reply memorandum
10/21/03	JCM	7.25	Continued detailed edit/revise of reply memo; conference with TLG regarding edits; final proof-read of reply brief
10/21/03	TLG	8.20	Draft and research for Reply in Support of Attorney Fee motion; revise and finalize Reply Memorandum in Support of Motion for Attorney Fees; finalize exhibits re: Reply; conference with JCM re: Reply draft
10/21/03	SAV	4.20	Prepare pleadings: Fee Reply and Appendix
10/22/03	SAV	.50	Phone call from class member re: status; email to TLG re: same
10/23/03	SAV	.50	Pacer search for notice and exhibits; pull and electronically copy same; email to defense counsel Roberts re: same
10/24/03	SAV	1.40	Research: address research for class member; copy documents related to class member for TLG; update status of notice chart
10/27/03	JCM	3.50	Detailed prep. for IP Court conference; conference with TLG re: same; research and analysis regarding vacation pay issues
10/27/03	TLG	3.80	Prepare for telephone conference with the Court re: employees' objections to Defendant's calculations of benefits and omission of vacation pay; conference with JCM re: same; phone conference with defense counsel McElligott re: employees' objections and request for copies of employee correspondence to and from Barger